

**UNITED STATES DISTRICT COURT  
District of Maine**

**PATRICK DORNEY,**

**Plaintiff**

**v.**

**PATRICIA BARNHART,**

**Defendant**

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**No. 1:11-cv-302-GZS**

**ORDER AFFIRMING THE  
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge filed with the Court on January 17, 2012, her Recommended Decision (Docket No. 13). Plaintiff filed his Objection to the Recommended Decision (Docket No. 17) on February 27, 2012.

I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in her Recommended Decision, and determine that no further proceeding is necessary.

1. It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **AFFIRMED**.
2. It is hereby **ORDERED** that the Plaintiff's § 2254 Petition (Docket No. 1) is summarily **DISMISSED** as time barred and Plaintiff is **DENIED** relief under 28 U.S.C. § 2254.

3. It is hereby **ORDERED** that no certificate of appealability shall issue in the event Plaintiff files a Notice of Appeal because there is no substantial showing of the denial of a constitutional right as contemplated by 28 U.S.C. § 2253(c)(2).

/s/George Z. Singal

U.S. District Judge

Dated this 28th day of February, 2012.